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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिस से कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS
(Legislative Department)

New Delhi, the 3rd January, 1976/Pausa 13, 1897 (Saka)

THE UNION TERRITORIES RELIEF OF AGRICULTURAL INDEBTEDNESS REGULATION, 1976

No. 1 OF 1976

Promulgated by the President in the Twenty-sixth Year of the Republic of India.

A Regulation to provide relief from indebtedness to agricultural labourers, marginal farmers, rural artisans and small farmers in certain Union territories.

In exercise of the powers conferred by article 240 of the Constitution, the President is pleased to promulgate the following Regulation made by him:—

Short title, extent and commencement.

1. (*1*) This Regulation may be called the Union Territories Relief of Agricultural Indebtedness Regulation, 1976.

(*2*) It extends to the Union territories of the Andaman and Nicobar Islands, Dadra and Nagar Haveli, Lakshadweep and Pondicherry.

(*3*) It shall come into force at once.

Definitions.

2. In this Regulation, unless the context otherwise requires,—

(*a*) "Administrator" means the administrator of a Union territory appointed by the President under article 239 of the Constitution;

(*b*) "agricultural labourer" means a person who is engaged in the operation of—

(*i*) farming, including cultivation and tillage of soil; or

(*ii*) dairy farming; or

(*iii*) production, cultivation, growing and harvesting of any horticultural commodity; or

(*iv*) raising of live-stock, bees or poultry; or

(*v*) any practice performed on a farm as incidental to, or in conjunction with, farm operations (including any forestry or timbering operations) and preparation for market, or delivery to storage or to market, or to carriage for transportation, of farm products,

in the capacity of a labourer on hire or exchange and who is paid in cash or in kind or partly in cash and partly in kind for such engagement;

(*c*) "bank" means a banking company as defined in clause (*c*) of section 5 of the Banking Regulation Act, 1949, and includes the State Bank of India constituted under the State Bank of India Act, 1955, a subsidiary bank as defined in the State Bank of India (Subsidiary Banks) Act, 1959, a corresponding new bank specified in the First Schedule to the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970, the Agricultural Refinance Corporation established under the Agricultural Refinance Corporation Act, 1963, any banking institution notified by the Central Government under section 51 of the Banking Regulation Act, 1949, and any other banking or financial institution which the Administrator may, by notification in the Official Gazette, declare to be a bank for the purposes of this Regulation; 10 of 1949. 23 of 1955. 38 of 1959. 5 of 1970. 10 of 1963.

(*d*) "civil court" includes—

(*i*) any court exercising jurisdiction under the Provincial Insolvency Act, 1920; and 5 of 1920.

(*ii*) any court exercising powers under the Provincial Small Cause Courts Act, 1887; 9 of 1887.

(*e*) "co-operative society" means a society registered or deemed to be registered under any law relating to co-operative societies for the time being in force in a Union territory;

(*f*) "debt" includes all liabilities owing to a creditor in cash or in kind, secured or unsecured, payable under a decree or order of a civil court or otherwise and subsisting at the commencement of this Regulation whether due or not due but does not include—

(*i*) a debt to the Central Government or any State Government, or the administration or Government of any Union territory or any local authority, or co-operative society or bank;

(*ii*) a debt to any Government company within the meaning of section 617 of the Companies Act, 1956; 1 of 1956.

(*iii*) a debt to the Life Insurance Corporation of India established under the Life Insurance Corporation Act, 1956, or to any other corporation established by or under any law for the time being in force; 3 of 1956.

(*iv*) any rent due in respect of any property let out to a debtor;

(*v*) any liability arising out of breach of trust or any tortious liability;

(*vi*) any liability in respect of wages or remuneration due as salary or otherwise for services rendered;

(*vii*) any liability in respect of maintenance whether under a decree of a civil court or otherwise;

(*viii*) any debt which represents the price of any goods or property purchased by a debtor;

(*ix*) any advance of money given to a debtor by a person as the price of goods or property to be sold later on by the debtor;

(*x*) any sum recoverable as arrears of land revenue;

(*g*) "debtor" means an agricultural labourer, a marginal farmer, a rural artisan or a small farmer;

(*h*) "marginal farmer" means a person who owns agricultural land measuring not more than one hectare and who cultivates personally such land, and includes a person who cultivates such land measuring not more than one hectare as a tenant or share cropper:

Provided that in its application to persons belonging to any Scheduled Tribe, this clause shall be subject to the modification that for the words 'one hectare', in both the places where they occur, the words 'two hectares' shall be substituted;

(*i*) "rural artisan" means a person who does not hold any agricultural land and whose principal means of livelihood is production or repair of traditional tools, implements and other articles or things used for agriculture or purposes ancillary thereto and includes a person who normally earns his livelihood by practising a craft either by his own labour or by the labour of all or any of the members of his family in a rural area;

(*j*) "small farmer" means a person who owns agricultural land measuring more than one hectare but less than two hectares, or who cultivates such land measuring more than one hectare but less than two hectares as a tenant or share cropper:

Provided that in its application to persons belonging to any Scheduled Tribe, this clause shall be subject to the modification that for the words 'one hectare' and 'two hectares', in both the places where they occur, the words 'two hectares' and 'four hectares' shall respectively be substituted;

(*k*) "suit" includes appeal.

Stay of suits, etc.

3. (*1*) Notwithstanding anything contained in any other law for the time being in force or in any contract, custom or usage to the contrary,—

(*i*) no civil court shall entertain any suit, application or other proceeding against a debtor in respect of any debt incurred by him;

(*ii*) any suit, application or other proceeding in relation to the recovery of a debt from a debtor pending immediately before the commencement of this Regulation before a civil court shall be stayed; and

(*iii*) no decree of a civil court in relation to the recovery of a debt from a debtor which was passed before the commencement of this Regulation shall be executed,

for a period of one year from such commencement.

(*2*) The Administrator may, by notification in the Official Gazette, extend the period referred to in sub-section (*1*) by a further period or periods:

Provided that such further period or the aggregate of such further periods shall not exceed one year.

Extension of period of limitation.

4. Notwithstanding anything contained in any other law for the time being in force, in computing the period of limitation for any suit, proceeding or application, or for the execution of a decree, the period during which any person was debarred, from instituting such suit or proceeding or making such application or executing such decree, under this Regulation shall be excluded.

Remission of interest.

5. A debtor shall not be liable to pay interest on any debt during the period for which no suit or proceeding could be instituted or application made for the recovery of the debt or for the execution of a decree in relation thereto or for which a suit, or an application or other proceeding for the recovery of the debt was stayed under this Regulation.

FAKHRUDDIN ALI AHMED,
President.

K. K. SUNDARAM,
Secy. to the Govt. of India.

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